

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

RUBEN GIL, and  
MARTIN NELSON GARCIA,

Defendants.

STIPULATION AND ORDER

07 Cr. 1169 (JES)

WHEREAS, defendants RUBEN GIL and MARTIN NELSON GARCIA have been charged in a one-count indictment 07 Cr. 1169 (JES) with unlawfully, intentionally, and knowingly, conspiring to distribute and possess with intent to distribute a controlled substance, to wit, 5 kilograms and more of a mixture and substance containing a detectable amount of cocaine, in violation of 21 U.S.C. §§ 812, 841(a)(1) and 841(b)(1)(A); and

WHEREAS, a court conference in this case was originally scheduled for May 22, 2008, and recently has been adjourned to September 4, 2008 at 3:00 p.m. with the consent of all Parties; and

WHEREAS, the Government and counsel for each of the defendants are engaged in ongoing plea discussions aimed at resolving this case short of a trial;

NOW, THEREFORE, IT IS STIPULATED, ORDERED, ADJUDGED AND DECREED THAT:

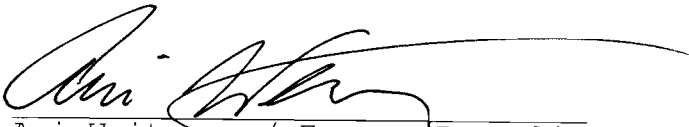
1. The time between May 22, 2008 through and including September 4, 2008, be excluded for purposes of the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A), in the interests of

justice; and

2. The ends of justice served by granting a continuance outweigh the best interests of the public and the defendants in a speedy trial because such a continuance will permit the Government and the defendants to continue plea discussions and to consider a possible disposition of the case.

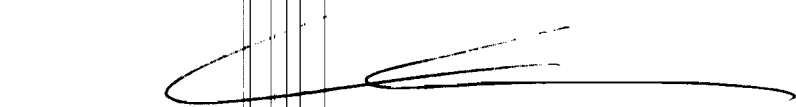
Dated: New York, New York  
May \_\_\_\_\_, 2008

COUNSEL FOR THE UNITED STATES:

  
\_\_\_\_\_  
Avi Weitzman / Eugene Ingoglia  
Assistant United States Attorneys

COUNSEL FOR THE DEFENDANTS

\_\_\_\_\_  
Steven Altman  
Counsel for Ruben Gil

  
\_\_\_\_\_  
Alberto Ebanks, Esq.  
Counsel for Martin Nelson Garcia

SO ORDERED:

  
\_\_\_\_\_  
JOHN E. SPRIZZO  
UNITED STATES DISTRICT JUDGE

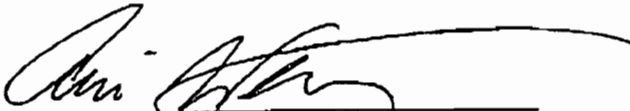
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justice; and

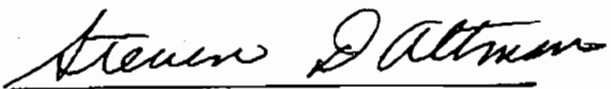
2. The ends of justice served by granting a continuance outweigh the best interests of the public and the defendants in a speedy trial because such a continuance will permit the Government and the defendants to continue plea discussions and to consider a possible disposition of the case.

Dated: New York, New York  
May \_\_\_\_\_, 2008

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Assistant United States Attorneys

COUNSEL FOR THE DEFENDANTS

  
Steven Altman  
Counsel for Ruben Gil

Alberto Ebanks, Esq.  
Counsel for Martin Nelson Garcia

SO ORDERED:

\_\_\_\_\_  
JOHN E. SPRIZZO,  
UNITED STATES DISTRICT JUDGE